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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/606,257	06/29/2000	Harry R. Chesley	4254 15-641	7537

7590 01/08/2004

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EXAMINER
EL CHANTI, HUSSEIN A

ART UNIT	PAPER NUMBER
2157	8

DATE MAILED: 01/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/606,257	CHESLEY, HARRY R.	
	Examiner	Art Unit	
	Hussein A El-chanti	2157	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on *10/07/2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-24* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-24* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

13)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

a) ☐ The translation of the foreign language provisional application has been received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

Response to Amendment

1. This action is responsive to the communication filed on August 4, 2003. Claims 9-11 were canceled. Claims 1, 12 and 18 were amended.

Response to Arguments

2. Applicant's arguments with respect to the pending claims have been considered but are moot in view of the new ground(s) rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1-3, 8, 12, 14, 18, 21 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Steele et al, U.S. Patent 6,065,051 (referred to hereafter as Steele) in view of Hodges et al., U.S. Patent No. 6,449,365 (referred to hereafter as Hodges.

Steele teaches the invention substantially as claimed including a method, apparatus and computer readable medium for communicating information between a plurality of client computers.

As per claim 1, Steele teaches a method of communicating between a plurality of client computers comprising the steps of:

Providing data on a data source and communicating the data from the data source to one or more of a plurality of client computers in response to a request for data by said one or more client computers (see col. 2 lines 16-25);

Updating the data on the data source by sending data from one of the plurality of client computers to said data source (see col. 2 lines 25-30).

Communicating a fact that the data available on the data source has been updated by communicating and prompting said other client computers to access the updated data from the data source (see col. 2 lines 31-39).

Steele does not explicitly teach the limitation "communicating a client to client message from the one client computer that updated the data to other client computers". However Hodges teaches a method and apparatus for providing notification of network conditions and update where the user sends a client to client message to inform the other clients that an update has occurred on a server using a network management server (see col. 8 lines 18-26 and col. 1 lines 43-55).

It would have been obvious for one of the ordinary skill in the art at the time of the invention to modify Steele by implementing the step of communicating a client to client message as taught by Hodges because doing so would allow a user in a group to update information on a data server and notify the other clients that the data has been updated in real time using client to client messages.

As to claim 2, Steele also teaches the method of claim 1 wherein the data source and the plurality of client computers communicate information by means of a hypertext transfer protocol (see col. 3 lines 35-44) wherein a client computer periodically polls the

data source and further wherein said client computers poll the data source in response to a client to client message concerning an updating of data on the data source from another client (see col. 2 lines 40-42).

As per claim 3, Hodges teaches the method of claim 1 additionally comprising the step of providing a communications interrupt server which communicates client to client messages between multiple client computers (see col. 8 lines 18-26 and 49-65).

As per claim 8, Steele further teaches the method of claim 1 wherein the data source comprises a server computer (see fig. 1 and its corresponding illustration, fig. 1 shows a server computer connected to a group of clients).

As per claims 12 and 18, Steele teaches a computer readable medium and method of communicating information performing the steps of:

Providing data on a data source and communicating the data from the data source to one client computers in response to a request for data by said one client computers (see col. 2 lines 16-25).

Updating the data on the data source and communicating the fact that the data available on the data source has been updated by communicating an update message to said plurality of computers to access the updated data from the data source or computer server (see col. 2 lines 25-30).

Steele does not explicitly teach the limitation "communicating a message from one client computer to plurality of clomputers". However Hodges teaches a method and apparatus for providing notification of network conditions and update where the user sends a client to client message to inform the other clients that an update has occurred

on a server using a network management server (see col. 8 lines 18-26 and col. 1 lines 43-55).

It would have been obvious for one of the ordinary skill in the art at the time of the invention to modify Steele by implementing the step of communicating a client to client message as taught by Hodges because doing so would allow a user in a group to update information on a data server and notify the other clients that the data has been updated in real time using client to client messages.

As per claim 14, Hodges teaches the computer readable medium of claim 12 additionally comprising the step of providing a communications interrupt which communicates update message between multiple client computers (see col. 8 lines 18-26 and 49-65).

As per claim 20, Hodges teaches update message to be targeted at certain clients (see col. 8 lines 18-26 and lines 49-65).

As per claim 21, Steele teaches the method of claim 18 wherein the server computer stores a message hierarchy in a goal directed messaging system for tabulating messages from multiple clients and wherein the update message indicates the message hierarchy has been updated (see fig. 4 and fig. 8 and respective illustrations).

As per claim 23, Hodges teaches the method of claim 18 wherein the server computer stores a database for storing information made available from multiple clients and wherein the update message indicates the database has been updated (see col. 8 lines 49-65 and col. 4 lines 26-49).

4. Claims 4-7, 22 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Steele et al in view of Hodges further in view of Kohda et al, U.S. Patent 6,249,806 (referred to hereafter as Kohda).

As to claim 4, Steele teaches a method of communicating between a plurality of client computers comprising providing data on a data source and communicating the data from the data source to one or more of a plurality of client computers in response to a request for data by said one or more client computers; updating the data on the data source by sending data from one of the plurality of client computers to said data source and communicating the fact that the data available on the data source has been updated by communicating a client to client message from the client computer that updated the data to other client computers thereby prompting said other client computers to access the updated data from the data source (see the rejection of claim 1).

Steele does not explicitly teach the limitation "the client to client message is formatted in accordance with an internet relay chat protocol".

However Kohda teaches a communications system that allows client to access stored information on a server (see abstract) wherein the client to client message is formatted in accordance with an internet relay chat protocol (see col. 8 lines 25-42).

It would have been obvious for one of the ordinary skill in the art at the time of the invention to modify Steele by implementing and internet relay chat protocol to communicate update messages as taught by Kohda because using the internet relay chat protocol allows tens of thousands of users to share and transfer files in real time.

As per claim 5, Kohda further teaches the method of claim 4 where the data source maintains a database of information and wherein different portions of the database are assigned a unique internet relay chat channel (see col. 10 lines 32-44).

As per claim 6, Hodges teaches the data source maintains a goal based message hierarchy having message nodes (see col. 8 lines 49-65 and col. 4 lines 26-49). Kohda teaches updates to one or more nodes in a group of such nodes are assigned to an internet relay chat channel (see col. 6 lines 41-64 and claim 22).

As per claims 7, Kohda teaches the method of claim 4 and the computer readable medium of claim 15 additionally comprising the step of providing a communications interrupt server which communicates messages between multiple client computers by means of said internet relay chat protocol (see col. 8 lines 25-42).

As per claim 22, Kohda teaches the method of claim 21 wherein the message hierarchy is divided into nodes which form groups of one or more nodes (see fig. 9 and its corresponding illustration) wherein the update message is in the form of an internet relay protocol and wherein node groups are assigned different internet relay chat channels (see col. 10 lines 32-44).

As per claim 24, Kohda teaches the database of claim 23 divided into data and said data portions are assigned channels in an internet relay chat protocol that implements update message (see col. 10 lines 32-44).

5. Claims 13, 15-17, 19 and 20 do not teach or define any additional limitation over claims 1-8 and therefore are rejected for similar reasons.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hussein A El-chanti whose telephone number is (703)305-4652. The examiner can normally be reached on Mon-Fri 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (703)308-7562. The fax phone number for the organization where this application or proceeding is assigned is (703)746-9679.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)305-3900.

Hussein El-chanti

Nov. 24, 2003

ARIO ETIENNE
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